

JUN 18 2002

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: CA1163

Peter R. BEETHAM, et al.

Appln. No.: 09/685,403

Group Art Unit: 1638

Confirmation No.: 4644

Examiner: KRUSE, David H.

Filed: October 10, 2000

For: NON-TRANSGENIC HERBICIDE RESISTANT PLANTS

RECEIVED  
U.S. PATENT AND TRADEMARK OFFICE  
JUN 18 2002

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed February 13, 2002, the Applicants respectfully request reconsideration of pending Claims 1-23 in view of the following amendments and remarks. Filed even date herewith is a one month extension of time and the appropriate fee to set the time for response on June 13, 2002.

**IN THE CLAIMS:**

**Please cancel claim 24 without prejudice or disclaimer.**

**Please enter the following amended claims:**

1. (As Amended) A modified non-transgenic herbicide resistant plant, which plant expresses a mutant EPSPS gene product and which plant has substantially normal growth as compared to a plant expressing the wild-type EPSPS gene product.

2. (As Amended) A modified non-transgenic herbicide resistant plant, which

plant expresses a mutant EPSPS gene product and which plant has substantially